TITLE 8.—ALIENS AND NATIONALITY

Chapter 8.—THE COOLY TRADE

§§ 331 to 339. Repealed. Pub. L. 93–461, Oct. 20, 1974, 88 Stat. 1387.

Section 331, R.S. § 2158, prohibited cooly trade.

Section 332, R.S. § 2159; Mar. 3, 1911, ch. 231, § 291, 36 Stat. 1167, related to forfeiture of vessels engaged in cooly trade.

Section 333, R.S. § 2160, related to penalty for building vessels to engage in cooly trade.

Section 334, R.S. § 2161, related to punishment for engaging in cooly trade.

Section 335, R.S. § 2162, excepted the voluntary emigration of coolies from the prohibition.

Section 336, act Mar. 3, 1875, ch. 141, § 1, 18 Stat. 477, related to inquiry and certification by consular officers.

Section 337, R.S. § 2163, related to examination of vessels.

Section 338, act Mar. 3, 1875, ch. 141, § 2, 18 Stat. 477, related to penalties for involuntary transportation of Chinese, Japanese, and others for purpose of holding to service.

Section 339, act Mar. 3, 1875, ch. 141, § 4, 18 Stat. 477, related to punishment for contracting to supply cooly labor.

Chapter 12.—IMMIGRATION AND NATIONALITY

§ 1101. Definitions.

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(b) As used in subchapters I and II of this chapter—

(1) The term "child" means an unmarried person under twenty-one years of age who is—

* * * * *

(F) a child, under the age of fourteen at the time a petition is filed in his behalf to accord a classification as an immediate relative under section 1151(b) of this title, who is an orphan because of the death or disappearance of, abandonment or desertion by, or separation or loss from, both parents, or for whom the sole or surviving parent is incapable of providing the proper care and has in writing irrevocably released the child for emigration and adoption; who has been adopted abroad by a United States citizen and spouse jointly, or by an unmarried United States citizen at least twenty-five years of age, who personally saw and observed the child prior to or during the adoption proceedings; or who is coming to the United States for adoption by a United States citizen and spouse jointly, or by an unmarried United States citizen at least twenty-five years of age, who have or has complied with the preadoption requirements, if any, of the child's proposed residence; *Provided*, That the Attorney General is satisfied that proper care will be furnished the child if admitted to the United States: *Provided further*, That no natural parent or prior adoptive parent of any such child shall thereafter, by virtue of such parentage, be accorded any right, privilege, or status under this chapter.

* * * * *

(As amended Dec. 16, 1975, Pub. L. 94–155, 89 Stat. 824.)

AMENDMENTS

1975—Subsec. (b)(1)(F). Pub. L. 94–155 provided for adoption of alien children under the age of fourteen by unmarried United States citizens who are at least twenty-five years of age and added requirement that before adoption the Attorney General be satisfied that proper care will be provided the child after admission.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1151, 1152, 1153, 1154, 1181, 1182, 1184, 1184a, 1201, 1251, 1253, 1254, 1255, 1255b, 1257, 1258, 1282, 1303, 1481 of this title; title 18 section 613; title 22 sections 1474, 2395, 2508; title 26 sections 871, 872, 1441, 3121, 3231, 3306; title 42 section 410; title 45 sections 228a, 231, 351; title 50 App. sections 453, 456.

§ 1153. Allocation of immigrant visas.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 42 section 1382c.

§ 1182. Excludable aliens.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 42 section 1382c.

§ 1257. Adjustment of status of certain resident aliens to nonimmigrant status; exceptions.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1184 of this title; title 50 App. section 456.

§ 1286. Discharge of alien crewmen; penalties.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1330 of this title; title 22 section 450.

§ 1401. Nationals and citizens of United States at birth.

* * * * *

(b) Any person who is a national and citizen of the United States under paragraph (7) of subsection (a) of this section shall lose his nationality and citizenship unless—(1) he shall come to the United States and be continuously physically present therein for a period of not less than two years between the ages of fourteen years and twenty-eight years; or (2) the alien parent is naturalized while the child is under the age of eighteen years and the child begins to reside permanently in the United States while under the age of eighteen years. In the administration of this subsection absences from the United States of less than sixty days in the aggregate during the period for which continuous physical presence in the United States is required shall not break the continuity of such physical presence.

* * * * *

(d) Nothing contained in subsection (b) of this section, as amended, shall be construed to alter or affect the citizenship of any person who has come to the United States prior to October 27, 1972, and who, whether before or after October 27, 1972, immediately following such coming complies or shall comply with the physical presence requirements for retention of citizenship specified in subsection (b) prior to October 27, 1972, and the repeal of section 1401b of this title. (As amended Oct. 27, 1972, Pub. L. 92–584, §§ 1, 3, 86 Stat. 1289.)

AMENDMENTS

1972—Subsec. (b). Pub. L. 92–584, § 1, substituted provisions that nationals and citizens of the United States under subsec. (a)(7), lose such status unless they are present continuously in the United States for two years between the ages of fourteen and twenty eight years, or the alien parent is naturalized while the child is under the age of eighteen years and the child begins to reside permanently in the United States while under the age of eighteen years, and that absence from the United States of less than sixty days will not break the continuity of presence, for provisions that such status would be lost unless the nationals and citizens come to the United States prior to attaining twenty three years and be present continuously in the United States for five years, and that such presence should be between the age of fourteen and twenty eight years.

Subsec. (d). Pub. L. 92–584, § 3, added subsec. (d).

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1401a, 1408, 1409, 1452 of this title; title 26 sections 877, 2107, 2501.

§ 1401b. Repealed. Pub. L. 92–584, § 2, Oct. 27, 1972, 86 Stat. 1289.

Section, Pub. L. 85–316, § 16, Sept. 11, 1957, 71 Stat. 644, provided that absence from the United States of less than twelve months would not break the continuity of presence in the administration of section 1401(b) of this title, and is now covered by section 1401(b) of this title.

§ 1425. Ineligibility to naturalization of deserters from the armed forces.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1433, 1434 of this title; title 50 App. section 455.

§ 1445. Petition for naturalization.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 47 sections 303, 310.

Chapter 13.—IMMIGRATION AND NATURALIZATION SERVICE

§ 1551 to 1557.

TRANSFER OF FUNCTIONS

All functions vested by law in the Attorney General, the Department of Justice, or any other officer or any agency of that Department, with respect to the inspection at regular inspection locations at ports of entry of persons, and documents of persons, entering or leaving the United States, were transferred to the Secretary of the Treasury by 1973 Reorg. Plan No. 2, § 2, eff. July 1, 1973, 38 F.R. 15932, 87 Stat. 1091, set out in the Appendix to Title 5, Government Organization and Employees.